

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Wednesday, February 21, 2024

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Mendive, Vice Chairman Shepherd, Representatives Boyle, Vander Woude, Blanksma, Manwaring, Yamamoto, Raybould, Durrant, Hill, Mickelsen, Nelsen, Pickett, Raymond, Tanner, Burns, Necochea, Galaviz

**ABSENT/
EXCUSED:** None

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Mendive called the meeting to order at 1:30 p.m.

Chairman Mendive introduced the new committee page, **Alma Azócar Agurto** and asked her to say a few words.

MOTION: **Rep. Galaviz** made a motion to approved the January 31, February 1, February 7, February 9, February 13, February 15, 2024 meeting minutes as submitted.
Motion carried by voice vote.

Rep. Yamamoto made an introduction and acknowledged the Caldwell High School students in the room who are observing today.

Chairman Mendive made an introduction and acknowledged the Brigham Young University of Idaho (BYU-I) students in the room who are observing today.

Aaron Leiberman, the Ex. Director of the Idaho Outfitter and Guides Association (IOGA) gave the committee a presentation on the outfitter and guide industry. He provided the legal definition for guides and outfitters, and pointed out the distinctions between the two. He explained how this industry offers rural economic development in the areas they operate, and includes highly trained individuals in first aide and rescue. At times outfitters serve as first responders, assist in the pursuit of poachers, clear trails, and remove garbage in the back country. The outfitter and guide industry in Idaho is regulated and has a history of working with legislators to accomplish better outcomes. There are several pieces of legislation IOGA is monitoring this year and Mr. Leiberman reviewed those bills and shared the IOGA position on each issue, plus he answered some committee questions.

H 592: **Rep. Raymond**, District 31, presented **H 592** and yielded to **Rep. Sauter** to continue the presentation. **Rep. Sauter**, District 1, explained last week he met with several state agencies which resulted in some administrative changes to the original version **H 485**. His district is largely in support of the subsequent results presented in **H 592** and believes there is a great need for this legislation, especially the prevention assistance it will provide. He reviewed the specific changes that were made to **H 485** resulting in **H 592**, and answered some committee questions.

Rep. Raymond declared a Rule 80.

MOTION: **Rep. Mickelsen** made a motion to send **H 592** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Raymond** to sponsor the bill on the floor.

Chairman Mendive put the committee at ease at 2:02 p.m.

Chairman Mendive called the meeting back to order at 2:04 p.m.

H 540: **Rep. Vander Woude**, District 22, presented **H 540** saying this legislation better defines flood control districts by revising some terminology, and he assured the committee the legislation was drafted in a collaborative fashion. He introduced **Dan Stenten**, an attorney and registered lobbyist representing Boise River Flood Control District 10, who reiterated the details of the collaboration, described Flood Control District 10 and explained a flood control district's authority and activity. He spoke about the three phases of flood management: flood risk reduction which is done before flooding to reduce the risk of flooding, flood response which is done during flooding, and lastly recovery. These terms among other things have been incorporated into **H 540** to more accurately portray the responsibilities of flood control districts in Idaho. He reviewed some significant flood events in Idaho over the past several years and described how the three phases of flood management were implemented. In a response to a committee question he explained the changes made do not appear to conflict with federal regulations.

MOTION: **Rep. Mickelsen** made a motion to send **H 540** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Vander Woude** to sponsor the bill on the floor.

H 507: **Rep. Boyle**, District 9, explained that Idaho Code already defines authority for state land sales, this legislation is intended to expand certain bonding requirements to include Good Neighbor Authority (GNA) sales. She introduced Idaho Dept. of Lands (IDL) Director **Dustin Miller** to talk about the GNA program. He explained that GNA program is a priority and he introduced **Craig Foss**, IDL State Forester, to speak to the specifics of the GNA program and its sales. Mr. Foss explained that GNA started in 2016 to address Idaho's overgrown National Forest problem. The program has been very successful, not only growing to 20 employees it has secured agreements with six out of seven of Idaho's National Forests. GNA is a self-sustaining program, he reviewed the revenue the program has generated, the restoration projects it has performed, and an overview of the Hannah Flats project with its ongoing law suite. Mr. Foss addressed some committee questions.

MOTION: **Rep. Mickelsen** made a motion to send **H 507** to the floor with a **DO PASS** recommendation.

Mark Mahan representing the Associated Logging Contractors of Idaho, **Steven Thomas** and **Travis Jones** representing the Idaho Forest Group, and **Jeremy Chou** with Stella Jones all spoke **in support of H 507.**

VOTE ON MOTION: **Motion carried by voice vote.** **Rep. Boyle** to sponsor the bill on the floor.

Chairman Mendive turned the gavel over to **Vice Chairman Shepherd.**

H 469: **Rep. Mendive**, District 5, explained the reasons he brought **H 469** forward which involves some recent changes in Idaho Dept. of Fish and Game (IDFG) Administrative Rules. Having hunted with a muzzleloader for over 40 years he shared a personal story to support his conviction that greater than a 50 caliber bullet is necessary to humanely kill a large animal like an elk. This legislation would prevent IDFG from banning sabots. He imparted details about ammo including technological advancements, availability, and he made a distinction between kill rates (or wounded kills) and harvest rates. Rep. Mendive answered some committee questions.

Ellory Tucker-Williams representing Idaho Dept. of Fish and Game (IDFG) spoke **in opposition** to **H 469** stating that IDFG conducted a formal rule making process including muzzleloader season. She reviewed the results of the formal rule making process and spoke about the challenges of balancing the use of advancing technology, the lengths of hunting seasons and sales of deer tags. Ms. Tucker-Williams introduced **Toby Boudreau**, IDFG Deer and Elk Coordinator, to address specific committee questions. Elaborating, but eventually coming to the point that a lower harvest success rate is figured into the hunting regulations for muzzleloader season, and sabots would likely increase the harvest rate. The muzzleloader season would need to be adjusted, shortened, or tag sales reduced. The wounded kill rate is not tracked but only the harvest rate. Muzzleloader season has traditionally been more about developed hunting skills and less about advancing equipment technology.

Nathan Guy representing himself and Faith Outdoors, **Nic Fasciano** representing a chapter of Backcountry Hunters and Anglers, **Kyle Maki** representing Idaho Wildlife Federation, and **Benn Brocksome** representing Idaho Sportsman spoke **in opposition** of **H 469**.

MOTION: **Rep. Mickelsen** made a motion to **HOLD H 469** in committee.

SUBSTITUTE MOTION: **Rep. Tanner** made a substitute motion to send **H 469** to the floor with a **DO PASS** recommendation.

Rep. Mendive made some closing remarks addressing some to the testimony.

AMENDED SUBSTITUTE MOTION: **Rep. Burns** made an amended substitute motion to **lay H 469 on the table**.

Committee members gave their thoughts on the issue.

ROLL CALL VOTE: Role call vote requested. **Amended substitute motion failed by a vote of 4 AYES, 12 NAYES, 2 Absent/Excused. Voting in favor** of the motion: **Rep. Yamamoto, Burns, Necochea, Galaviz. Voting in opposition** to the motion: **Rep. Shepherd, Boyle, Blanksma, Manwaring, Raybould, Durrant, Mickelsen, Nelsen, Pickett, Raymond, Tanner, Mendive. Rep. Vander Woude and Hill was absent/excused.**

ROLL CALL VOTE ON SUBSTITUTE MOTION: Role call vote requested. **Substitute motion failed by a vote of 5 AYES, 11 NAYES, 2 Absent/Excused. Voting in favor** of the motion: **Rep. Shepherd, Boyle, Nelsen, Tanner, Mendive. Voting in opposition** to the motion: **Rep. Blanksma, Manwaring, Yamamoto, Raybould, Durrant, Mickelsen, Pickett, Raymond, Burns, Nicochea, Galaviz. Rep. Vander Woude and Hill absent/excused.**

VOTE ON ORIGINAL MOTION: **Original motion carried by voice vote.**

Vice Chairman Shepherd turned the gavel over to **Chairman Mendive**.

ADJOURN: There being no further business to come before the committee the meeting adjourned at 3:53 p.m.

Representative Mendive
Chair

Andrea Blades
Secretary